

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GEORGIANNA SAVAS,

Plaintiff,

DKT. NO. 12 CIV. 1248 (VM)

-against-

NOTICE OF MOTION

ZACHARIAS GEORGIU PORTALAKIS,

Defendant.
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SIRS:

PLEASE TAKE NOTICE that upon the annexed affidavit of Laurence J. Lebowitz, Esq, sworn to the 23rd day of May 2012, and the exhibits attached thereto; the Declaration of Zacharias Georgiou Portalakis, dated May 25, 2012 and the exhibits annexed thereto; the Affidavit of Cristos Gianakos, sworn to the 21st day of May 2012; and the Memorandum of Law submitted herewith, the Defendant will move this Court on the 22nd day of June 2012 at 10:00 o'clock in the forenoon or as soon thereafter as counsel can be heard, for an Order:

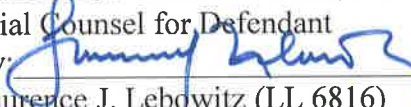
- (a) Dismissing the Complaint pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure: on the ground that the Court lacks personal jurisdiction over the Defendant; or
- (b) Dismissing the Complaint, or staying the prosecution of this action, on the ground that there is another action pending between the same parties to this litigation seeking the same relief as sought herein; or
- (c) Dismissing the Complaint on the grounds that the Southern District of New York is an inconvenient forum for the prosecution of the action; or
- (d) Dismissing the First Cause of Action in the Complaint alleging fraud on the ground that it is not pled with sufficient particularity or alternatively on the ground that New York law precludes such a claim when a party also pleads a cause of action for breach of contract arising out of the same transaction; and
- (e) Dismissing the Seventh Cause of Action alleging conversion on the ground that such claim is barred by the applicable statute of limitations; and

(f) Granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to Judge Marrero's Individual Rules and Local Civil Rule 6.1, responsive papers, if any, must be served upon the undersigned on or before June 11, 2012.

Dated: New York, New York
May 25, 2012

Yours, etc.

Ballou Stoll Bader & Nadler, P.C.
Trial Counsel for Defendant
By: 
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